

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, DECEMBER 1, 2004**

UNAPPROVED
JANUARY 10, 2005

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Frank A. de la Fe, Hunter Mill District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
James R. Hart, Commissioner At-Large
Nancy Hopkins, Dranesville District
Ronald W. Koch, Sully District
Kenneth A. Lawrence, Providence District
Rodney L. Lusk, Lee District
Peter F. Murphy, Jr., Springfield District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: None

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The meeting was called to order at 8:15 p.m. by Chairman Peter F. Murphy, Jr., in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Commissioner Byers announced his intent to defer the decision only on RZ 2004-MV-020, Gunston Center LLC, from December 2, 2004 to December 9, 2004.

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Chairman Murphy announced his intent to defer the public hearing on FDPA 82-P-069-13-09, Natick VA Realty Corporation, from December 2, 2004 to the end of January 2005.

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Commissioner Lusk MOVED THAT THE DECISION ONLY ON 2232-L04-5, T-MOBILE USA, BE DEFERRED TO A DATE CERTAIN OF JANUARY 27, 2005.

Commissioner Byers seconded the motion which carried unanimously.

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Commissioner Harsel MOVED THAT THE PLANNING COMMISSION APPROVE THE FOLLOWING MINUTES:

OCTOBER 23, 2002
OCTOBER 24, 2002
JANUARY 8, 2003
JANUARY 9, 2003
JANUARY 15, 2003

JANUARY 23, 2003
JANUARY 29, 2003
FEBRUARY 13, 2003
FEBRUARY 20, 2003

Commissioner Byers seconded the motion which carried by a vote of 8-0-4 with Commissioners Hart, Hopkins, Lawrence, and Lusk abstaining.

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Commissioner Wilson MOVED THAT THE DECISION ONLY ON THE PROPOSED PUBLIC FACILITIES MANUAL AMENDMENTS ON POSTING SIGNAGE FOR ACCESSIBLE PARKING SPACES, CASH DEPOSITS, AND NATURAL DRAINAGE DIVIDES, BE FURTHER DEFERRED TO A DATE CERTAIN OF DECEMBER 9, 2004.

Commissioners Byers and Lusk seconded the motion which carried unanimously.

Commissioner Wilson MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT DEFER ITS PUBLIC HEARING ON THE PUBLIC FACILITIES MANUAL AMENDMENTS TO A DATE SUBSEQUENT TO DECEMBER 9, 2004.

Commissioners Byers seconded the motion which carried unanimously.

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Commissioner Hopkins noted that the public hearing on 2232-D04-13, School Board of the City of Falls Church and the City of Falls Church, had been originally scheduled for December 1, 2004, but had been administratively deferred to December 9, 2004. She then announced her intent to defer the public hearing on this item from December 9, 2004 to February 2, 2005.

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Commissioner de la Fe announced that the Transportation Committee would meet on January 12, 2005, and the Parks Committee would meet on January 13, 2005, to continue discussions on the Transportation and Parks proposed Policy Plan amendments to the Comprehensive Plan.

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FS-L04-63 - FAIRFAX COUNTY PARK AUTHORITY, Lee High Park

Commissioner Lusk MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE “FEATURE SHOWN” DETERMINATION IN FS-L04-63.

Commissioner Byers seconded the motion which carried unanimously.

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FSA-L03-41-1 - MILESTONE COMMUNICATIONS & T-MOBILE, 7606 Telegraph Road

Commissioner Lusk MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE “FEATURE SHOWN” DETERMINATION IN FSA-L03-4-1.

Commissioner Byers seconded the motion which carried unanimously with Commission Alcorn not present for the vote.

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ORDER OF THE AGENDA

Secretary Harsel established the following order of the agenda:

1. SE 2004-MA-022 - AMERADA HESS CORPORATION
2. SE 2004-SU-021 - CHEVY CHASE BANK
3. PCA 80-L-070 - COMMONWEALTH CONSTRUCTION MANAGEMENT, INC.
SE 2004-MV-020 - COMMONWEALTH CONSTRUCTION MANAGEMENT, INC.

This order was accepted without objection.

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SE 2004-MA-022 - AMERADA HESS CORPORATION - Appl. under Sects. 7-607 and 9-601 of the Zoning Ordinance to permit a quick service food store and service station in a Highway Corridor Overlay District. Located at 7100 Little River Tnpk. on approx. 26,711 sq. ft. of land zoned C-6, HC, SC and CRD. Tax Map 71-1 (11) 109. MASON DISTRICT. PUBLIC HEARING.

Robert Lawrence, Esquire, with Reed Smith LLP, reaffirmed the affidavit dated November 23, 2004. Commissioner Hart disclosed that although his law firm, Hart and Horan PC, had two unrelated cases pending with Mr. Lawrence’s law firm, there was no financial relationship and it would not affect his ability to participate in this case.

Commissioner Hall asked that Chairman Murphy ascertain whether there were any speakers for this application. There being none, he asked that presentations by staff and the applicant be waived and the public hearing closed. No objections were expressed; therefore Chairman Murphy closed the public hearing and recognized Commissioner Hall for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2004-MA-022, AMERADA HESS CORPORATION, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED DECEMBER 1, 2004.

Commissioner Wilson seconded the motion which carried by a vote of 11-0-1 with Commissioner Byers abstaining.

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE COMPREHENSIVE PLAN TRAIL REQUIREMENT.

Commissioner Koch seconded the motion which carried by a vote of 11-0-1 with Commissioner Byers abstaining.

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE SERVICE DRIVE REQUIREMENT.

Commissioner Koch seconded the motion which carried by a vote of 11-0-1 with Commissioner Byers abstaining.

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SE 2004-SU-021 - CHEVY CHASE BANK - Appl. under Sects. 7-607, 9-612 and 9-620 of the Zoning Ordinance to permit a drive-in bank in a Highway Corridor Overlay District, a waiver of certain sign regulations and open space requirements. Located at 14001 Lee Jackson Memorial Hwy. on approx. 25,379 sq. ft. of land zoned C-8, HC and WS. Tax Map 34-4 ((1)) 43. SULLY DISTRICT. PUBLIC HEARING.

Robert Flinn, Esquire, with Flinn & Beagan, reaffirmed the affidavit dated November 1, 2004. Commissioner Hart disclosed that although his law firm, Hart and Horan PC, had one unrelated case pending with Mr. Flinn's law firm, there was no financial relationship and it would not affect his ability to participate in this case.

Aaron Shriber, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the application.

In response to a question from Commissioner Koch, Mr. Shriber said that the three revisions to the development conditions dated December 1, 2004 were minor and reflected some of the language presented in the license agreement.

Mr. Flinn stated that the subject property, which used to be a Texaco gas station, was prominently located in the middle of Chantilly. He noted that all issues had been resolved and the application had the support of staff and both the West Fairfax County Citizens Association and the Sully District Council.

Chairman Murphy called for speakers from the audience, but received no response. He noted that a rebuttal statement was not necessary. There were no further comments or questions from the Commission and staff had no closing remarks; therefore Chairman Murphy closed the public hearing and recognized Commissioner Koch for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2004-SU-021, CHEVY CHASE BANK, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED NOVEMBER 29, 2004.

Commissioners Lusk, Byers, and Hart seconded the motion which carried unanimously.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE SERVICE DRIVE REQUIREMENT.

Commissioners Byers, Lusk, and Hart seconded the motion which carried unanimously.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE LOADING SPACE REQUIREMENT.

Commissioners Byers, Lusk, and Hart seconded the motion which carried unanimously.

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PCA 80-L-070 - COMMONWEALTH CONSTRUCTION
MANAGEMENT, INC. - Appl. to amend the proffers for RZ 80-L-
070 previously approved for industrial use to permit industrial uses
and to establish a concrete mixing or batching plant with an overall
Floor Area Ratio (FAR) of 0.30. Located on the W. side of Gunston
Cove Rd., E. side of Shirley Memorial Hwy approximately 1500 ft. S.
of Lorton Rd. on approx. 6.44 ac. of land zoned I-6. Comp. Plan Rec:
Alternative use. Tax Map 107-4 ((1)) 68A. (Concurrent with SE
2004-MV-020.) MOUNT VERNON DISTRICT.

SE 2004-MV-020 - COMMONWEALTH CONSTRUCTION
MANAGEMENT, INC. - Appl. under Sect(s). 5-604 of the Zoning
Ordinance to permit a concrete mixing or batching plant. Located at
9418 Gunston Cove Rd. on approx. 2.72 ac. of land zoned I-6. Tax
Map 107-4 ((1)) 68A pt. (Concurrent with PCA 80-L-070.) MOUNT
VERNON DISTRICT. JOINT PUBLIC HEARING.

Hillary Katherine Zahm, urban planner with Cooley Godward LLP, reaffirmed the affidavit dated September 27, 2004. There were no disclosures by Commission members.

Lindsay Schulenberger, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff had initially recommended denial of the applications because the original proffers had not committed to any setbacks, minimum buffer widths, minimum open space, building heights, or points of access. She added that the applicant had since worked with staff to resolve these issues and an addendum to the staff report had been distributed on December 1, 2004, with a recommendation of approval.

Ms. Zahm stated that the applicant had resolved certain staff issues by proffering out a number of uses. She explained that the applicant had agreed to commitments such as a floor area ratio restriction and a building height limitation. She then described the proposed development and the services to be provided by the applicant, also known as Handy Man Concrete. Ms. Zahm noted that the applicant had worked closely with staff, the Mount Vernon Council, and the South County Federation to address concerns. She outlined some of the commitments the applicant had agreed to at the request of the community:

- Treat the silo with a brown exterior so it would blend in with the surrounding vegetation;
- Contribute toward restoration or replacement of single-lane bridge on Gunston Cove Road;
- Treat the front and side facades of the building with 60 percent brick; and
- Restrict truck traffic on Lorton Road.

Ms. Zahm requested that the Planning Commission consider removing Development Condition Number 4, requiring the applicant to treat the rear facade of the building with a brick-face, pre-cast concrete. She noted that the owner had agreed to commit to 60 percent brick on the front and side facades, which would be more visible to traffic than the rear facade. She explained that the applicant had further agreed to provide landscaping in the rear of the property in addition to the existing vegetation and to change the grade to approximately 20 feet from the building to the I-95 right-of-way, which would, therefore, provide significant buffer at the rear of the building. Ms. Zahm concluded that the applications had the support of staff, the Mount Vernon Council, and the South County Federation.

Chairman Murphy called for speakers from the audience, but received no response. He noted that a rebuttal statement was not necessary. There were no comments or questions from the Commission and staff had no closing remarks; therefore Chairman Murphy closed the public hearing and recognized Commissioner Byers for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Byers MOVED THAT THE PLANNING COMMISSION DEFER DECISION ON PCA 80-L-070 AND SE 2004-MV-020, COMMONWEALTH CONSTRUCTION MANAGEMENT, INC., TO A DATE CERTAIN OF DECEMBER 9, 2004, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioners Alcorn and Lusk seconded the motion which carried unanimously.

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The meeting was adjourned at 8:50 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Kara A. DeArrastia

Approved on: _____

Linda B. Rodeffer, Clerk to the
Fairfax County Planning Commission